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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/582,606 | 06/12/2006 | Georg Schneider | W1.2344 PCT-US | 2801 |

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| EXAMINER |
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HINZE, LEO T

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| ART UNIT | PAPER NUMBER |
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08/18/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/582,606 | Applicant(s) SCHNEIDER ET AL. | |
| | Examiner LEO T. HINZE | Art Unit 2854 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 68-132 is/are pending in the application.
- 4a) Of the above claim(s) 68-97,99-109 and 112-132 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 98,110 and 111 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20060612</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of claims 98, 110, and 111 in the reply filed on 04 June 2008 is acknowledged. The traversal is on the ground(s) that the reference(s) relied upon by the examiner as evidence of *a posteriori* lack of unity were based upon a search of the prior art with respect to claims that have since been amended, and therefore the relied upon references are no longer *a posteriori* evidence of a lack of unity. This argument is persuasive, but moot, in light of the prior art identified by the examiner. As discussed below, Holm, US 2002/0189470 A1 and Stork, EP 182 156 B1, are "Y" references that, when combined, show that the subject matter of claim 98 lacks an inventive step, and therefore the subject matter of claim 98 fails to contain a special technical feature that defines the claimed subject matter over the prior art.

The requirement is still deemed proper and is therefore made FINAL.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious

at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 98, 110, and 111 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holm, WO 2001/39977 A1 (hereinafter Holm; references are to the US equivalent, 6,920,824 B2) in view of Stork, EP 0 182 156 B1 (hereinafter Stork; see attached machine translation from the esp@cenet web site).

a. Regarding claim 98:

Holm teaches a printing group of a printing press not having a dampening unit, said printing group comprising: a plate cylinder (03, Fig. 10); at least first and second waterless planographic printing plates arranged in a circumferential direction of said plate cylinder (see two plates 11 on cylinder 03, Fig. 10); a transfer cylinder cooperating with said plate cylinder (02, Fig. 10); a printing blanket on a circumferential surface of said transfer cylinder (09, Fig. 10); a printing blanket end receiving opening on said circumferential surface of said transfer cylinder, said opening being located opposite a first set of ends of said first and second printing plates (open end of blanket at groove

14 is opposite groove 13, Fig. 10); and a metal support plate supporting said printing blanket (metal support layer 21, Fig. 8).

Holm does not teach a depression in said printing blanket, said depression being located opposite a second set of ends of said first and second printing plates.

Stork teaches a printing machine having a plate cylinder (2, Fig. 1) with a plate mounted thereon (4, Fig. 1), and a blanket cylinder (1, Fig. 1) with a blanket mounted thereon (6, Fig. 1), wherein a groove containing ends of the printing plate are opposite a groove (7, Fig. 1) in the blanket cylinder, and a depression (9d, Fig. 5) in the blanket cylinder. This groove allows tension between the plate and blanket cylinders to be relieved when the gaps in the plate and blanket cylinder are opposite each other.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Holm to include depressions in the blanket cylinder opposite a second set of ends of said first and second printing plates, because Stork teaches that depressions in the blanket cylinder are advantageous for relieving stress, and one having ordinary skill in the art could combine the known prior art elements to create an apparatus that predictably relieves stress by placing a groove in the blanket cylinder opposite the second ends of the printing plates.

b. Regarding claim 110, the combination of Holm and Stork teaches the printing group of claim 98 as discussed in the rejection of claim 98 above. The combination of Holm and Stork also teaches a coating of said printing blanket and wherein said depression is a groove formed in said coating (Stark: the impression 9d is in the outer surface of the blanket, Fig. 5).

c. Regarding claim 110:

The combination of Holm and Stork teaches the printing group of claim 98 as discussed in the rejection of claim 98 above.

The combination of Holm and Stork is silent as to the depth of the depression.

One having ordinary skill in the art would recognize that the depth of the depression must be sufficiently deep to provide a suitable relieving of the contact stress of the two cylinders.

It has been held that mere changes in size are not sufficient to patentably distinguish an invention over the prior art. See MPEP § 2144.04 (IV)(A).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Holm wherein a depth of said groove is between 5% and 10% of a thickness of said coating, because one having ordinary skill in the art would be motivated to make the depth of the groove sufficient to relieve the stress between the cylinders, and one having ordinary skill in the art could easily determine that a depth of 5% to 10% would be sufficient to relieve the stress.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leo T. Hinze whose telephone number is 571.272.2864. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571.272.2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anthony H Nguyen/
Primary Examiner, Art Unit 2854

Leo T. Hinze
Patent Examiner
AU 2854
08 August 2008